AMENDMENTS TO THE CLAIMS

The following claims are *pending*: 1-21.

The following claims are *independent*: 1, 7, 17, 19, and 21.

Please *amend* claims 1, 7-8, 16-17, 19, and 21 as follows per the listing of claims, below; as such, this listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A processor-implemented method for issuing a unit to a holder, comprising:

creating by a processor a forward contract, the forward contract specifying a settlement amount and a settlement date;

creating a note securing obligations of said holder under said forward contract, said note specifying an initial capped remarketing, at least a first subsequent capped remarketing, and an uncapped remarketing, said uncapped remarketing performed only if each of said capped remarketings fail, each of said capped and uncapped remarketings scheduled to occur prior to said settlement date; [[and]]

structuring the note as a combination of capped and uncapped remarketings, so it is treated as Tier 1 capital, for purposes of regulations applicable to financial institutions; and

issuing said forward contract and said note as the unit~~, said issuing performed by a computing device~~;

~~wherein said unit is treated, as a result of said combination of capped and uncapped remarketings, as Tier 1 capital, for purposes of regulations applicable to financial institutions.~~

2. (Previously Presented) The method of claim 1, wherein said note further specifies, in

addition to said initial capped remarketing, said at least a first subsequent capped remarketing, and said uncapped remarketing, an opportunistic remarketing period during which an issuer of said unit has discretion to perform at least one of a capped and an uncapped remarketing.

3. (Previously Presented) The method of claim 1, further comprising a second and a third subsequent capped remarketing prior to said uncapped remarketing.

4. (Original) The method of claim 1, wherein a remarketing is successful if said note can be resold for an amount greater than said settlement amount.

5. (Original) The method of claim 1, wherein a remarketing is successful if said note can be resold for an amount greater than said settlement amount plus a remarketing fee.

6. (Original) The method of claim 1, wherein an issuer of said unit is a financial institution obligated to maintain Tier 1 and Tier 2 capital and wherein said unit is treated as Tier 1 capital.

7. (Currently Amended) A <u>processor-implemented</u> method for remarketing a mandatory unit:

~~attempting~~ an initial capped remarketing of a note portion of said mandatory unit <u>by a processor</u>, said initial remarketing ~~attempted~~ <u>initiated</u> prior to a settlement date of a forward contract portion of said mandatory unit, said initial remarketing subject to a reset rate cap;

~~attempting~~ a subsequent capped remarketing if said initial remarketing is unsuccessful; [[and]]

~~attempting,~~ a final remarketing of said note portion of said mandatory unit, if both said initial capped remarketing and said subsequent capped remarketing are unsuccessful, ~~a final remarketing of said note portion of said mandatory unit,~~ said final remarketing ~~attempted~~ <u>initiated</u> prior to said settlement date and not subject to a reset rate cap;

<u>structuring the note as a combination of capped and uncapped remarketings, so it is treated as Tier 1 capital, for purposes of regulations applicable to financial institutions; and</u>

<u>issuing said forward contract portion.</u>

~~wherein said unit is treated, as a result of said combination of capped and uncapped~~

~~remarkings, as Tier 1 capital, for purposes of regulations applicable to financial institutions;~~

~~at least one of said remarketings performed by a computing device.~~

8. (Currently Amended) The method of claim 7, further comprising:

~~attempting,~~ performing an opportunistic remarketing prior to ~~said attempting~~ said final remarketing, ~~an opportunistic remarketing,~~ said opportunistic remarketing performed at an option of an issuer of said mandatory unit.

9. (Original) The method of claim 8, wherein said opportunistic remarketing is at least one of a capped and an uncapped remarketing.

10. (Original) The method of claim 7, further comprising:

settling said forward contract portion of said mandatory unit with proceeds from a successful remarketing.

11. (Original) The method of claim 7, wherein a remarketing is successful if said note can be resold for an amount greater than a settlement price associated with said forward contract.

12. (Original) The method of claim 7, wherein a remarketing is successful if said note can be resold for an amount greater than a settlement price associated with said forward contract plus a remarketing fee.

13. (Original) The method of claim 7, wherein said initial remarketing is scheduled to occur prior to said settlement date.

14. (Original) The method of claim 13, wherein both said subsequent capped remarketing and said final remarketing are scheduled to occur prior to said settlement date and after said initial remarketing.

15. (Previously Presented) The method of claim 7, wherein if said subsequent capped remarketing is unsuccessful, a second and a third subsequent capped remarketing are attempted prior to said final remarketing.

16. (Currently Amended) The method of claim 7, further comprising:

determining that each of said ~~attempted~~ remarketings is unsuccessful; and

upon determining that each of said ~~attempted~~ remarketings is unsuccessful, settling said forward contract portion of said mandatory unit with a seizure of collateral of a holder of said forward contract.

17. (Currently Amended) A <u>processor-implemented</u> method for issuing a mandatory unit from an issuer to a holder, the method comprising:

creating <u>by a processor</u> a forward contract, the forward contract having a contract term extending from an issue date of said unit to a settlement date, said forward contract specifying a share delivery ratio for calculating a share delivery of issuer stock to said holder at said settlement date in exchange for a settlement amount;

creating a note securing obligations of said holder under said forward contract, said note specifying an initial capped remarketing, at least a first subsequent capped remarketing, an opportunistic remarketing period, and an uncapped remarketing, said uncapped remarketing performed only if each of said capped remarketings and any remarketings attempted during said opportunistic remarketing period fail; [[and]]

<u>structuring the note as a combination of capped and uncapped remarketings, so it is treated as Tier 1 capital, for purposes of regulations applicable to financial institutions; and</u>

issuing said forward contract and said note as a unit;

~~wherein said unit is treated, as a result of said combination of capped and uncapped remarketings, as Tier 1 capital, for purposes of regulations applicable to financial institutions; at least one of said remarketings performed by a computing device.~~

18. (Original) The method of claim 17, wherein said note is a contingent note.

19. (Currently Amended) A unit administration system, comprising:

a processor; and

a storage device in communication with said processor and storing instructions adapted to be executed by said processor to:

administer ~~an attempt of~~ an initial capped remarketing of a note portion of said mandatory unit, said initial remarketing attempted prior to a settlement date of a forward contract portion of said mandatory unit, said initial remarketing subject to a reset rate cap;

administer ~~an attempt of~~ a subsequent capped remarketing if said initial remarketing is unsuccessful; and

administer <u>a final remarketing of said note portion of said mandatory unit</u> ~~an attempt~~, if both said initial capped remarketing and said subsequent capped remarketing are unsuccessful, ~~a final remarketing of said note portion of said mandatory unit,~~ said final remarketing ~~attempted~~ <u>initiated</u> prior to said settlement date and not subject to a reset rate cap;

~~wherein said unit is treated, as a result of said combination of capped and uncapped remarketings, as Tier 1 capital, for purposes of regulations applicable to financial institutions.~~

20. (Previously Presented) The unit administration system of claim 19, further comprising a communication device coupled to receive information from at least one of an issuer, a holder, a remarketing agent, and a market data source.

21. (Currently Amended) A <u>processor-implemented</u> method for remarketing a mandatory unit:

(a) ~~attempting~~ an initial capped remarketing of a note portion of said mandatory unit <u>by a processor</u>, said initial remarketing ~~attempted~~ <u>initiated</u> prior to a settlement date of a forward contract portion of said mandatory unit, said initial remarketing subject to a reset rate cap;

(b) ~~attempting~~ a subsequent capped remarketing if said initial remarketing is unsuccessful; [[and]]

(c) ~~attempting,~~ <u>a final remarketing of said note portion of said mandatory unit</u>, if both said initial capped remarketing and said subsequent capped remarketings are unsuccessful, ~~a final remarketing of said note portion of said mandatory unit,~~ said final remarketing ~~attempted~~ <u>initiated</u> prior to said settlement date and not subject to a reset rate cap;

(d) <u>structuring the note as a combination of capped and uncapped remarketings, so it is</u>

treated as Tier 1 capital, for purposes of regulations applicable to financial institutions; and

(e) issuing said forward contract portion;

wherein at least some of said (a)-(e) are performed using a computer;

wherein said unit is treated, as a result of said combination of capped and uncapped remarketings, as Tier 1 capital, for purposes of regulations applicable to financial institutions r.